

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
Plaintiff,) 8:07CR279
vs.)
MICHAEL C. FITZGERALD,)
Defendant.) ORDER

At the initial appearance of the defendant on the charges contained in the indictment on file, the United States moved to detain the defendant without bail pending trial on the basis that he was a flight risk and a danger to the community. At the time of his initial appearance before the court, the defendant was in the custody of Florida state authorities on state charges. Accordingly,

IT IS ORDERED:

The government's motion for detention of Michael C. Fitzgerald pursuant to the Bail Reform Act is held in abeyance pending the defendant's coming into federal custody.

IT IS FURTHER ORDERED:

The defendant, Michael C. Fitzgerald, having received notice of his return to the custody of Florida state authorities pending the disposition of this matter and having waived an opportunity for hearing in this matter pursuant to the Interstate Agreement on Detainers, 18 U.S.C. app § 9(2), the U.S. Marshal is authorized to return the defendant, Michael C. Fitzgerald, to the custody of Florida state authorities pending the final disposition of this matter and the U.S. Marshal for the District of Nebraska is directed to place a detainer with the correctional officer having custody of the defendant.

DATED this 6th day of December, 2007.

BY THE COURT:

s/ F. A. Gossett
United States Magistrate Judge